

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.  
**BUR920020072US1**

In Re Application Of: **David M. Fried**

Application No.  
**10/538,911**

Filing Date  
**06/14/2005**

Examiner  
**Grant S. Withers**

Customer No.  
**32074**

Group Art Unit  
**2812**

Confirmation No.  
**5142**

Invention: **METHODS OF FORMING STRUCTURE AND SPACER AND RELATED FINFET**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **09/18/2007** finally rejecting Claim(s) **1-21**

The fee for this Notice of Appeal is: **\$510.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **090458**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

/Steven Capella/  
*Signature*

Dated: **December 18, 2007**

Steven Capella  
Registration No. 33,086  
IBM Corporation  
2070 Route 52  
Bldg. 321 / Zip 482  
Hopewell Junction, New York 12533  
Telephone No. 845-894-3669  
Fax No. 845-892-6363

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

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